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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,753	05/22/2008	Bernd Ullmann	KURARAY-0014	3795
23599 7590 06/17/2010 MILLEN, WHITE, ZELANO & BRANIGAN, P.C. 2200 CLARENDON BLVD. SUITE 1400 ARLINGTON, VA 22201			EXAMINER	
			HALPERN, MARK	
			ART UNIT	PAPER NUMBER
		1791		
			NOTIFICATION DATE	DELIVERY MODE
			06/17/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@mwzb.com

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extension from rings to extinent under the provisions of 57°CH 1.180°L, in no event, however, may a reply be timely filled. - If NO period for regly is specified above, the maximum attailutory precided will apply and val expires SIX (5) MONTHS from the mating date of this communication. - Failute to provy which the set or extended period for region will be provided to the mating date of this communication. - Failute to provy which the set or extended period for region will be provided to the mating date of this communication. - Failute to provy which the set or extended period for region will be the mailing date of this communication. Own if thinks (70) (30 LSC, § 133) control patient turn adjustment. Sub 37 GFR 1.740°L - Status - Status - This action is FINAL. - 2b) This action is non-final. - 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. - Disposition of Claims - 4) Claim(s) 1-16 is/are pending in the application. - 4a) Of the above claim(s) is/are allowed. - 6) Claim(s) is/are allowed. - 6) Claim(s) is/are allowed. - 7) Claim(s) is/are allowed. - 8) Claim(s) 1-16 are subject to restriction and/or election requirement. - Application Papers - 9) The specification is objected to by the Examiner. - Application Papers - 9) The specification is objected to by the Examiner. - Application Papers - 9) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. - Application Papers - 9) The specification is objected to by the Examiner. - Application Papers - 9) The specification is objected to by the Examiner. - Application Papers - 9) The specification is objected to by the Examiner. - Application From the international papers of the priority documents		Application No.	Applicant(s)					
Mark Halpern	Office Action Comments	10/594,753	ULLMANN ET AL.					
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DETAILED ACTION

Election/Restrictions

1) Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 1-11, drawn to an impregnated paper having penetration resistance to fats and oils.

Group II, claims 12-16, drawn to a method for making an impregnated paper Having penetration resistance to fats and oils.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Claim 1 is either obvious over or anticipated by EP 0 697 622. Accordingly, the special feature linking the two inventions, pulp of freeness claimed, internal sizing with AKD or with resin, water soluble binder, does not provide a contribution over the prior art, and no single general inventive concept exists. Therefore, the restriction is appropriate.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone no. is 571-272-1190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

/Mark Halpern/ Primary Examiner Art Unit 1791